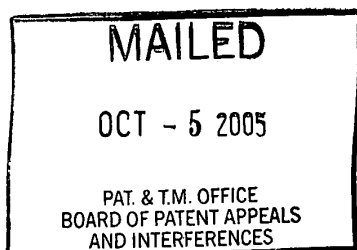




UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

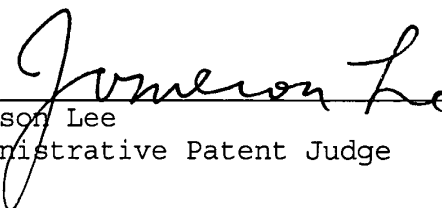
Filed by: Jameson Lee
Telephone: (571) 272-9797
Facsimile: (571) 273-0042



Applicant: Pace
Application No.: 10/029,336
Filed: 12/20/01
For: Toothbrush having a brushhead
portion which contains a memory device
for communicating with a
microcontroller in a handle of the
toothbrush or other device

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,353.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).


Jameson Lee
Administrative Patent Judge

INTERFERENCE DIGEST

Interference No. 105,353

Paper No.

Name: John Pace

Serial No.: 10/029,336

Patent No.

Title: Toothbrush having a brushhead portion which contains a memory device for communicating with a microcontroller in a handle of the toothbrush or other device

Filed: 12/20/01

Interference with Hilscher et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

Filed by: Jameson Lee
Administrative Patent Judge
Mail Stop Interference
P.O. Box 1450
Alexandria VA 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Filed
5 October 2005

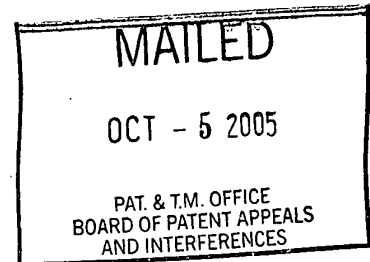
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN PACE
Junior Party
(Application 10/029,336),

v.

**ALEXANDER HILSCHER, HANSJORG REICK,
MARTIN STRATMANN, PETER TRAWINSKI,
WOLFGANG VORBECK and ARMIN SCHWARZ-HARTMANN**
Senior Party
(Application 10/241,274).



Patent Interference No. 105,353

DECLARATION

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

Part B. Judge managing the interference

Administrative Patent Judge Jameson Lee has been designated to manage the interference. 37 CFR § 41.104(a) [Bd. R. 104(a)].

Part C. Standing order

A Trial Section STANDING ORDER [SO] accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **1:00 p.m. (eastern) on 23 November 2005** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile (SO ¶ 4.5) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶ 26) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventors: John Pace, Bothell, WA

Application: 10/029,336, filed December 20, 2001

Title: Toothbrush having a brushhead portion which contains a memory device for communicating with a microcontroller in a handle portion of the toothbrush or other device

Assignee: Koninklijke Philips Electronics N.V.

Accorded Benefit: None

Senior Party

Named Inventors: Alexander Hilscher, Kronberg, Germany
Martin Stratmann, Frankfurt, Germany
Peter Trawinski, Weiterstadt, Germany
Wolfgang Vorbeck, Idstein-Eschenhahn, Germany
Armin Schwarz-Hartmann, Wendelsheim, Germany

Application: 10/241,274, filed September 10, 2002

Title: Dental cleaning device

Assignee: Braun GmbH

Accorded Benefit: German application 10159395.3,
Filed December 4, 2001

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1). The senior party is responsible for initiating settlement discussions. SO ¶ 18.

Part F. Count and claims of the parties

Count 1

Claim 14 of Pace's Application 10/029,336

or

Claim 47 of Hilscher's Application 10/241,274

The claims of the parties are:

Pace: 1-16 and 18-24

Hilscher: 35, 36, 38-49 and 51-56

The claims of the parties which correspond to Count 1 are:

Pace: 1-16 and 18-24

Hilscher: 35, 36, 38-49 and 51-56

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Pace: None

Hilscher: None

Part G. Heading to be used on papers

The heading in SO Form 1 must be used on all papers filed in this interference.

See SO ¶ 7.2.1. The administrative patent judge and parties must be indicated as follows:

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**
(Administrative Patent Judge Jameson Lee)

JOHN PACE

Junior Party
(Application 10/029,336),

v.

**ALEXANDER HILSCHER, HANSJORG REICK,
MARTIN STRATMANN, PETER TRAWINSKI,
WOLFGANG VORBECK and ARMIN SCHWARZ-HARTMANN**

Senior Party
(Application 10/241,274).

Patent Interference No. 105,353

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Part E of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/s/ Jameson Lee
JAMESON LEE
Administrative Patent Judge

Enc:

Copy of STANDING ORDER

Form PTO-850

Copy of claims Application 10/029,336

Copy of claims Application 10/241,274

Revised September 2004

cc (via overnight delivery):

Attorney for PACE:

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